

EXECUTIVE OFFICER'S SUMMARY REPORT  
9:00 a.m., March 24, 2004  
North Coast Regional Water Board  
Hearing Room  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California

ITEM: 6

SUBJECT: Fort Bragg Municipal Improvement District No. 1, Wastewater Treatment Facility – Renewal of Waste Discharge Requirements (WDRs)/National Pollutant Discharge Elimination System (NPDES) Permit.

#### DISCUSSION

The Fort Bragg Municipal Improvement District No. 1 (the Permittee) submitted information on October 26, 2000, to complete a Report of Waste Discharge for a renewal of its Waste Discharge Requirements (WDRs) for its Wastewater Treatment Facility (WWTF). These WDRs have been drafted in accordance with applicable federal and state law, and include standards for secondary treated wastewater for discharges to the Pacific Ocean, as well as other prohibitions, limitations, and provisions.

The proposed Order contains significant changes from the existing Permit. Daily maximum effluent limitations for biochemical oxygen demand (BOD) and suspended solids have been removed based on best professional judgment and to conform to federal regulations that require effluent limitations for publicly owned treatment works to be expressed as weekly and monthly averages unless impracticable. Alternative mass-based effluent limitations have been prescribed for wet weather periods. Those effluent limits are based on actual wet weather flow (but not to exceed the wet weather design flow) rather than solely on average dry weather flow. This change establishes reasonably achievable effluent limitations during periods when the influent flow associated with significant wet weather is greater than the average dry weather flow. Monitoring requirements for chronic toxicity have been added to the permit requirements in accordance with the California Ocean Plan as updated in 2001. In addition, specific requirements relating to the wastewater collection system, operations and maintenance, solids disposal, source control and sanitary sewer overflows have been added. The submittals will help ensure that the Permittee operates the WWTF efficiently and in compliance with WDRs.

The WWTF has been operating under WDRs that were last adopted by the Regional Water Board on June 22, 1995. The existing Permit has an expiration date of June 22, 2000. The Regional Water Board considered a draft renewed permit for the WWTF on March 22, 2001, but postponed the hearing for technical reasons. Renewal of this NPDES permit has since been delayed to resolve the Permittee's request for significant modification of the draft Permit. Regional Water Board staff responded to the Permittee's comments on June 25, 2003.

A preliminary draft Permit was provided to the Permittee on August 5, 2003. The Permittee responded with comments on October 1, 2003. The Permittee provided significant comments regarding the Regional Water Boards failure to designate the WWTF as "treatment equivalent to secondary treatment," reasonable potential for water quality-based effluent limitations, the Permit renewal's CEQA exemption, and the appropriateness of certain Permit requirements. Regional Water Board staff and representatives from the U.S. Environmental Protection Agency met with the Permittee on October 30, 2003 to discuss the Permittee's comments on the preliminary draft.

A final draft Permit was provided to the Permittee on January 16, 2004. The Permittee responded on February 19, 2004 with comments substantively similar to comments submitted on October 1, 2003. To the extent allowed by federal and state law and best professional judgement, the proposed permit was revised to incorporate the Permittee's comments.

#### PRELIMINARY STAFF

RECOMMENDATION: Adopt the Waste Discharge Requirements Order and NPDES Permit as proposed.

(fortbraggeosr)